PRESERVED

App. F. IX-4

1938.
(Coomb)

Previous References

File No. 112 – 38

Serial Nos. 2 & 3

Later References.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. Two only

Part B for February 39

SUBJECT.

Minute of the Chief Justice on the Report of of Vidurashwatha Disturbances Committee.

No. 704 dt 21.2.39 from the Registrar, High Court of Mysore.
Forwards minute of the Chief Justice on the Report of Vidurashwatha Disturbances Committee.

WD 0573—GPB—22,500—12-9-89

B.B. Skanker Rao
22.11.39

Serial No.

Govt. order on the Report of the Vidurashwatha Disturbance Enquiry ~~Rep~~ Committee

In para 4 of the Govt. order it is stated that the following points would be examined separately and necessary action taken in due course :—

(i) The observations of the Committee in regard to the conduct of the local officers in dealing with the Situation;

(ii) Suggestions made by the Committee in regard to preventing a recurrence of such incidents in future.

Point (i) will be raised for orders separately in the C.B.

Re: point (ii), the question may be examined in the Protection Branch and further action taken

Submitted
GPA
23.11-38

yes
MS
23/11

by
23/11

Prohn. Br. for favour of necessary action.

GPA 23/11/38

RE. SECRETARIAT
MY C.B.
23 NOV 1938
BANGALORE

NOTE—Contn. Sheet.

WD 0544—GPB—30,000—2-9-38

Suggestions of
Viduraswatha Disentrances Enquiry Committee 3862/38
P

V

Cts File No. of 193 . General and Revenue Secretariat

Subd.

Among the Suggestions made by the Committee, those embodied in paras 128 & 129 of the Report (pages 80 & 81 of the printed Report) pertain to the Judicial Dept.

It is a point for orders as to whether the High Court may be consulted on these Suggestions. A draft of a letter is also submitted herewith for approval or other orders

Cgm 7/12 Prl

Made as desired
KB 8-12

Re Submitted with a de typed draft

Cgm 7/12 Prl

chief Secy)

For ref.

KB 7/12

1st member)

MS 8/12

KB 8/12

CHIEF SECRETARY. 7. 12 GOVT. OF MYSORE.

KB 8/12

MS 9/12

5'4 9/12

B

KB 9/12

To
The Regr. H.C.
? 30 Dr. 15-12-38

3

Appendix F G—1]

SUBJECT.....

.....

.....

Diary No. of letter replied to .....

General and Revenue Secretariat

( )

the *193* .

Date of issue.....

Signed by .....

List of enclosures.....

Copied by .....

Examined by.....

Section

File No.

Serial No.

No.

To The Registrar

High Court of Mysore

Bangalore.

Subject :— Suggestions of the Vidhuraswathia ~~Enquiry~~ Disturbances Enquiry Committee

Sir,

I am directed to invite reference to letter No P. 3032 dated 15-12-38 on the above subject and to request that Govt may be favoured with the views of the Judges of the High Court in the matter at an early date.

I have etc

BSR

For Chief Secy to Govt

WD 0278—GPB—30,000—4-3-38

KS
14/2

Draft

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

Dated, Bangalore, ~~6th~~ 15th December 1938.

No. P 3032 Genl 1.

Ch-112-38-2

From

The Chief Secretary to the Government of His Highness,
the Maharaja of Mysore.

To

The Registrar,
High Court of Mysore,
Bangalore.

Sir,

I am directed to forward herewith a copy of Government Order No.1571-1621/G.B.180-37-112 dated 19th November 1938 passing orders on the Report of the Viduraswatha Disturbances Enquiry Committee and to state that Government propose to examine the suggestions made by the Committee (Vide para 4 of the Government Order enclosed herein).

I am accordingly to enclose herein extracts from paragraphs 128 and 129 of the Report and to request that Government may be favoured with the views of the Judges of the High Court in the matter

I have the honour to be,

Sir,

Your most obedient servant,

Chief Secretary to Government.

S.

2

H. Admin. (F) No. 5.

R.O.C. Dis. No. 704/38-39 Enc. One.

HIGH COURT OF MYSORE,
Public Office Buildings, Cubbon Park,
Bangalore, 21st February 1939.

Cts 112-38-3 5263/P

FROM

T. SHAMIENGAR, Esq., B.A., B.L.,
Registrar, High Court of Mysore.

CHIEF SECRETARY'S FIRST RECEIPT OF COUNCIL
FEB 22 1939
No. 6706.

To

CHIEF SECRETARY Pr.Sh 21. FEB. 1939 GOVT. OF MYSORE.

Rajasevaprasakta
B. T. Kesaviengar, Esq., B.A.,
Chief Secretary to the Government of Mysore,
BANGALORE.

SIR,

With reference to your letter No.P.3032/Cts. 112-38-2, dated the 15th December 1938, requesting the views of the Judges of the High Court in regard to the recommendations contained in Paragraphs 128 and 129 of the Report of the Viduraswatha Disturbances Enquiry Committee, I am directed to enclose herein copies of Minutes of the Chief Justice, Mr. Justice Abdul Ghani and Mr. Justice Singaravelu Mudaliar on the subject and to state that Mr. Justice Nagesvara Iyer as a member of the Committee does not wish to make any remarks.

I have the honour to be,

Sir,

Your most obedient servant,

For perusal in the first instance.

(Sd. Member) 21/2

BKR

NNI 23/2/39 24/2

J. Shamiengar
Registrar.

KVH.

MR. JUSTICE C. ABDUL GHANI:-
12-1-39

The Criminal Law Amendment Act, 1932, was rendered necessary by the Civil Disobedience Movement in British India, and was to remain in force for a period of three years. It was directed against associations dangerous to the public peace, certain forms of intimidation and to secure greater control over the Press. Amendment of the Press Act is already before the Legislature and if the Government think that it is desirable to incorporate into it the provisions of the Criminal Law Amendment they may do so. As opined by the Chief Justice the matter is one for the Government to judge. As yet there is no Civil Disobedience Movement in the State and latterly the situation appears to have eased considerably, and legislation on the lines of the Criminal Amendment Act is likely to worsen rather than improve the situation. It appears desirable to wait for the report of the Reforms Committee, orders of Government thereon and the effect of the same on the Public before seriously taking up legislation of this kind. We have had, even at the worst of times, no display of an intimidation of the kind contemplated by the Act, except perhaps when a hartal is contemplated. To prevent large gatherings, it is the suggestion of the Committee that an enactment like the Criminal Law Amendment Act may with advantage be introduced, if the existing statutes do not afford sufficient facilities. At present certain provisions of the Police Act and the Code of Criminal Procedure are being utilised. It is for the Government to decide whether the situation in the contry has reached or is likely to reach a stage, which requires additional drastic legislation. Dissemination of false rumours

rumours and news may perhaps require a check and this may perhaps be considered in connection with the amendment of the Press Law now in hand.

As to the action that may be necessary against Legal Practitioners, who may take part in such movement or agitation, I entirely agree with the views of the Chief Justice.

MR. JUSTICE T. SINGARAVELU MUDALIAR:-
21-1-39

I agree with the Chief Justice both with regard to the necessity for introducing the Criminal Law Amendment Act and with regard to action being taken against Legal Practitioners.

a copy

T Swaminathan
Registrar

24/1/39